

	City of Sioux Falls Council Meeting Minutes
	Carnegie Town Hall, 235 West 10th Street
	MEETING OF Tuesday, July 6, 2010 at 7:00 p.m.

ROLL CALL #5

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:	Members Absent:
Council Member Erpenbach	Council Member Jamison
Council Member Litz	
Council Member Roling	
Council Member Aguilar	
Council Member Anderson Jr.	
Council Member Brown	
Council Member Entenman	
Mayor Mike T. Huether	

INVOCATION

A. DR. RON TOTTINGHAM, EMPIRE BAPTIST TEMPLE

PLEDGE OF ALLEGIANCE

Council Member Jamison arrived at this time.

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Litz and seconded by Council Member Entenman to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.

Motion Passed

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, JUNE 21, 2010, AT 4:00 P.M.

B. CITY COUNCIL MEETING OF MONDAY, JUNE 21, 2010, AT 7:00 P.M.

C. INFORMATIONAL MEETING OF MONDAY, JUNE 28, 2010, AT 4:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE CHILDREN'S HOME FOUNDATION, STATING ITS INTENT TO SELL RAFFLE TICKETS ON SUNDAY, AUGUST 8, 2010, FOR A PAIR OF DIAMOND EARRINGS (VALUED AT \$3,000.00); A SIDE OF BEEF (VALUED AT \$750.00); NEBRASKA CORN HUSKER TICKETS (VALUED AT \$200.00) AND A COOKWARE PACKAGE (VALUED AT \$200.00). TICKETS WILL BE THREE FOR \$10.00 OR 10 FOR \$25.00. THE PROCEEDS ARE TO BE USED TO BENEFIT PROGRAMS AND SERVICES PROVIDED BY THE CHILDREN'S HOME SOCIETY.

APPLICATIONS

2. AUGUSTANA COLLEGE ASSOCIATION, 2112 S. SUMMIT AVENUE, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$1,127.94 AND 2001 S. NORTON AVENUE, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$823.01. AUGUSTANA COLLEGE WAS GRANTED EXEMPT STATUS ON TWO PARCELS FOR 2010, TAXES PAID IN 2011. THEY ARE NOW REQUESTING ABATEMENTS FOR THE TIME USED IN 2009.
3. SARAH BECK, 509 EAGLE PLACE, FOR 2010 PROPERTY TAXES IN THE AMOUNT OF \$73.44. MOBILE HOME TAXES WERE PRE-CALCULATED IN THE AUDITOR'S OFFICE AS NON-OWNER OCCUPIED WHEN THE CORRECT APPLICATION HAD BEEN FILED TO MAKE THIS PARCEL OWNER OCCUPIED. TAXPAYER IS NOW REQUESTING AN ABATEMENT FOR THIS VALUE DIFFERENCE.
4. RODNEY FLUTH, 2808 E. 5TH STREET, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$1,050.58. THE BOARD VALUE WAS REMOVED IN ERROR FOR 2009. TAXPAYER IS NOW REQUESTING AN ABATEMENT FOR THIS VALUE DIFFERENCE.

NOTICE OF HEARINGS

DOCUMENT: ALCOHOL MEMO

Set a hearing date for Monday, July 19, 2010, at 7:00 p.m. on Items 5 through 24:

5. NEW 2010 RETAIL LIQUOR LICENSE FOR MKSF INC., KRAV'N, TO BE OPERATED AT THE NE CORNER OF WEST 74TH STREET AND SOUTH CONNIE AVENUE (LOT 1, BLOCK 1, PLATINUM VALLEY ADDITION), INCLUDING SUNDAY SALES AND VIDEO LOTTERY TERMINALS, WITH THE PETITION FOR A FINAL DEVELOPMENT PLAN (2010-05-02) BEING APPROVED ON 06-02-10.
6. NEW 2010 PACKAGE LIQUOR LICENSE FOR CUBBY'S INC., CUBBY'S WEST 12TH STREET, TO BE OPERATED AT 1900 WEST 12TH STREET.
7. RESCIND THE 2010-11 PACKAGE MALT BEVERAGE LICENSE FOR CUBBY'S INC., CUBBY'S WEST 12TH STREET, 1900 WEST 12TH STREET.
8. NEW 2010-11 RETAIL MALT BEVERAGE LICENSE FOR BIG CHEESE PIZZA LLC, BIG CHEESE PIZZA, TO BE OPERATED AT 1301 EAST BENSON ROAD (FULL SERVICE RESTAURANT; CUP NOT REQUIRED).

9. NEW 2010 RETAIL WINE LICENSE FOR BIG CHEESE PIZZA LLC, BIG CHEESE PIZZA, TO BE OPERATED AT 1301 EAST BENSON ROAD (FULL SERVICE RESTAURANT; CUP NOT REQUIRED).
10. NEW 2010-11 RETAIL MALT BEVERAGE LICENSE FOR 2 AMIGOS LLC, 2 AMIGOS, TO BE OPERATED AT 3224 EAST TENTH STREET, WITH THE CONDITIONAL USE PERMIT (2010-05-07) BEING APPROVED ON 06-02-10.
11. NEW 2010-11 PACKAGE MALT BEVERAGE LICENSE FOR WALGREEN CO., WALGREENS #05243, TO BE OPERATED AT 2605 WEST 12TH STREET, WITH THE CONDITIONAL USE PERMIT (2010-05-11) BEING APPROVED ON 06-02-10.
12. NEW 2010-11 PACKAGE MALT BEVERAGE LICENSE FOR WALGREEN CO., WALGREENS #05514, TO BE OPERATED AT 1806 SOUTH MINNESOTA AVENUE, WITH THE CONDITIONAL USE PERMIT (2010-05-10) BEING APPROVED ON 06-02-10.
13. NEW 2010-11 PACKAGE MALT BEVERAGE LICENSE FOR WALGREEN CO., WALGREENS #10729, TO BE OPERATED AT 7120 WEST 41ST STREET.
14. NEW 2010-11 PACKAGE MALT BEVERAGE/FARM WINERY LICENSE FOR PILOT TRAVEL CENTERS LLC, PILOT TRAVEL CENTER #716 (CONVENIENCE STORE ONLY), TO BE OPERATED AT 5201 NORTH GRANITE LANE.
15. TRANSFER OF A 2010-11 PACKAGE MALT BEVERAGE/FARM WINERY LICENSE FROM CFJ PROPERTIES, FLYING J TRAVEL CENTER, 5201 NORTH GRANITE LANE, TO PILOT TRAVEL CENTERS LLC, PILOT TRAVEL CENTER #716 (CONVENIENCE STORE ONLY), TO BE OPERATED AT 5201 NORTH GRANITE LANE.
16. TRANSFER OF A 2010-11 RETAIL MALT BEVERAGE LICENSE FROM CFJ PROPERTIES, COUNTRY MARKET RESTAURANT, 5201 NORTH GRANITE LANE, TO PILOT TRAVEL CENTERS LLC, PILOT TRAVEL CENTER #716 (RESTAURANT), TO BE OPERATED AT 5201 NORTH GRANITE LANE, INCLUDING VIDEO LOTTERY TERMINALS (WITH THE CONDITIONAL USE PERMIT (99-12-5) BEING APPROVED IN 1999.
17. TRANSFER OF A 2010 RETAIL WINE LICENSE FROM CFJ PROPERTIES, COUNTRY MARKET RESTAURANT, 5201 NORTH GRANITE LANE, TO PILOT TRAVEL CENTERS LLC, PILOT TRAVEL CENTER #716 (RESTAURANT), TO BE OPERATED AT 5201 NORTH GRANITE LANE, INCLUDING VIDEO LOTTERY TERMINALS (WITH THE CONDITIONAL USE PERMIT (99-12-5) BEING APPROVED IN 1999.
18. TRANSFER OF A 2010 RETAIL LIQUOR LICENSE FROM UNITED ENTERPRISES GR LLC, GROUND ROUND RESTAURANT, 1301 WEST 41ST STREET, TO OUR VENTURES INC., THE 18TH AMENDMENT, TO BE OPERATED AT 1301 WEST 41ST STREET, INCLUDING SUNDAY SALES AND VIDEO LOTTERY TERMINALS (FULL SERVICE RESTAURANT; CUP NOT REQUIRED).
19. TRANSFER OF A 2010-11 PACKAGE MALT BEVERAGE LICENSE FROM PILOT TRAVEL CENTERS LLC, PILOT TC #349 CONVENIENCE STORE, 5301 NORTH CLIFF AVENUE, TO LOVE'S TRAVEL STOPS & COUNTRY STORES INC., LOVE'S TRAVEL STOP #445, TO BE

OPERATED AT 5301 NORTH CLIFF AVENUE.

20. SPECIAL ONE-DAY LIQUOR LICENSE FOR TSK INC., STOGEEZ, TO BE OPERATED ON PHILLIPS AVENUE BETWEEN 10TH AND 11TH STREETS, ON JULY 31, 2010, FOR THE STOGEEZ STEAKOUT.
21. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR HY-VEE INC., ALL OCCASIONS BY HY-VEE, TO BE OPERATED AT THE DELBRIDGE MUSEUM OF NATURAL HISTORY, 805 SOUTH KIWANIS AVENUE, ON AUGUST 7 AND OCTOBER 16, 2010, FOR WEDDING RECEPTIONS.
22. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR J&T SERVICES TO BE OPERATED AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET, ON AUGUST 21 AND OCTOBER 22, 2010, FOR WEDDING RECEPTIONS.
23. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, ON SEPTEMBER 10 AND NOVEMBER 12, 2010, FOR WEDDING RECEPTIONS, ON OCTOBER 9, 2010, FOR A FAMILY CELEBRATION, AND ON NOVEMBER 6, 2010, FOR A GALA.
24. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR THE SOUTH DAKOTA ASSOCIATION OF THE DEAF TO BE OPERATED AT THE SOUTH DAKOTA ASSOCIATION OF THE DEAF CENTER, 3520 GATEWAY LANE, ON AUGUST 5-7, 2010, FOR THE ALL-CLASS REUNION.

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Aguilar and seconded by Council Member Jamison to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.

Motion Passed

PUBLIC INPUT

Paul Jennings requested that the City Council take action regarding drivers using cell phones while driving.

Tim Stanga would like to know why there are seven earth movers at the City of Sioux Falls landfill. In addition, before funds are held for the Events Center, he would also like to ask that organizations that are receiving subsidies from the city are being held accountable for their finances.

UNFINISHED BUSINESS

25. POSTPONED DEFINITELY (FROM JUNE 21, 2010 MEETING): RENEWAL OF THE 2010-11 PACKAGE MALT BEVERAGE LICENSE FOR HY-VEE FOOD STORES INC., HY-VEE GAS #1, TO BE OPERATED AT 1521 SOUTH SYCAMORE AVENUE.

Document: Hyvee Security Management Plan

A motion was made by Council Member Brown and seconded by Council Member Entenman to approve Item 25.

Vote to approve: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.

Motion Passed

INTRODUCTION AND ADOPTION OF ORDINANCES

26. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4324 S. MINNESOTA AVE., FROM THE RS-1, RESIDENTIAL DISTRICT TO THE O, OFFICE DISTRICT, PETITION NO. 2010-05-01, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (THE PLANNING COMMISSION RECOMMENDS APPROVAL.)

Document: Ord. 1195

PC Staff Report

PC Exhibits

PC Minutes - Item 6

A motion was made by Council Member Anderson Jr. and seconded by Council Member Litz to adopt said Ordinance 58-10.

Vote to adopt: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.

Motion Passed

HEARINGS AND RESOLUTIONS

27. A RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPER FOR THE CITY OF SIOUX FALLS, SD.

Document: Resp. 005

A motion was made by Council Member Aguilar and seconded by Council Member Anderson Jr. to adopt said Resolution 51-10.

Vote to adopt: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Rolwing, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 7. Noes Council Member Litz, 1.
Motion Passed

RESOLUTION NO. 51-10

A RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPER FOR THE CITY OF SIOUX FALLS, SD.
BE IT RESOLVED BY THE CITY OF
SIOUX FALLS, SD: Pursuant to SDCL 9-12-6, the official newspaper for the City of Sioux Falls, SD, shall be the Argus Leader, for a period from July 9, 2010, through July 9, 2011. This Resolution is effective upon the date of publication.
Date adopted: 07/06/10

Mike T.

Huether

Mayor
ATTEST:
Debra A. Owen
City Clerk

28. A RESOLUTION ESTABLISHING THE SIOUX FALLS CITY COUNCIL GOALS AND OBJECTIVES.

Document: Res. 1750

A motion was made by Council Member Jamison and seconded by Council Member Entenman to adopt said Resolution 52-10.

Vote to adopt: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Rolwing, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.
Motion Passed

RESOLUTION NO. 52-10

A RESOLUTION ESTABLISHING SIOUX FALLS CITY COUNCIL GOALS AND OBJECTIVES.
BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:
That the Sioux Falls City Council, emphasizing its policy-making role, hereby es

establishes the following goals and objectives as part of its ongoing effort to continue to effectively implement the City's home rule charter form of government.

Mission Statement

To protect and enhance the quality of life for all residents by providing efficient and effective customer-focused services through establishing policies and appropriating money for those policies which are implemented by the administration.

Vision

The city of Sioux Falls will be a vibrant, attractive, and safe city recognized as a model community which:

- Ø Takes pride in its history, diversity, and environment;
- Ø Promotes downtown as a community focal point;
- Ø Provides visionary and creative governmental leadership;
- Ø Is an economic center for Minnehaha and Lincoln Counties;
- Ø Promotes an excellent business environment;
- Ø Values its public employees and recognizes their achievements.

Goals and Priorities

Public Safety

The City Council desires to have the citizens of our community feel safe in their homes and neighborhoods, safe from incidents of crime, disasters, hazardous infrastructure, and threats to public health.

Infrastructure

The City Council desires to appropriate adequate resources for the underlying framework for the city of Sioux Falls. Infrastructure includes all public services such as streets, water, sewer, storm drainage, planning, and zoning which promote a healthy community and economic development.

Quality of Life

The City Council desires that City government have a long-standing commitment to the natural, physical, and cultural amenities that make our community interesting, entertaining, and fulfilling.

Responsiveness of City Government

The City Council desires to have an accessible, proactive City government which responds to citizen inquiries and concerns in an efficient and effective manner.

Financially Stable City Government

The City Council desires the City to have adequate reserves to cash flow City government and meet any emergencies and an ongoing plan for a fiscally sound balanced budget.

Date adopted: 07/06/10

Mike T.

Huether

Mayor

ATTEST:

Debra A. Owen

City Clerk

Document: Res. 1748

Document: Res. 149-05 (referenced in this Resolution)

Map of Current TIF Boundaries

A motion was made by Council Member Litz and seconded by Council Member Jamison to adopt said Resolution 53-10.

Vote to adopt: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 53-10

A RESOLUTION DISSOLVING TAX INCREMENT DISTRICT NO. 6.

WHEREAS, on December 19, 2005, the City adopted Resolution No. 149-05 creating the Sioux Falls Tax Increment

District No. 6 pursuant to SDCL 11-9; and

WHEREAS, the anticipated development and public improvements did not occur and the tax increment financing did not originate;

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT RESOLVED..."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That Sioux Falls Tax Increment District No. 6 is hereby dissolved.

Date adopted: 07/06/10

Mike T.

Huether

Mayor

ATTEST:

Debra A. Owen

City Clerk

30. A RESOLUTION DISSOLVING TAX INCREMENT DISTRICT NO. 9.

Document: Res. 1749

Document: Res. 196-08 (referenced in this Resolution)

Map of Current TIF Boundaries

A motion was made by Council Member Litz and seconded by Council Member Entenman to adopt said Resolution 54-10.

Vote to adopt: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 54-10

A RESOLUTION DISSOLVING TAX INCREMENT DISTRICT NO. 9.

WHEREAS, on December 15, 2008, the City adopted Resolution No. 196-08 creating the Sioux Falls Tax Increment

District No. 9 pursuant to SDCL 11-9; and

WHEREAS, the anticipated development and public improvements did not occur and the tax increment financing did not originate;

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT RESOLVED..."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That Sioux Falls Tax Increment District No. 9 is hereby dissolved.

Date adopted: 07/06/10

Mike T.

Huether

Mayor

ATTEST:

Debra A. Owen

City Clerk

REPORT OF OFFICERS/BOARDS/COMMITTEES/TRANSFERS OF UNENCUMBERED APPROPRIATION BALANCES AMONG PROGRAMS WITHIN A DEPARTMENT OR ORGANIZATIONAL UNIT AS PROVIDED IN THE SIOUX FALLS CITY CHARTER SECTION 5.07 (d)

31. REPORT OF THE JUNE 25, 2010, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS. (MEMO 1)

Document: Memo 1

32. REPORT OF THE JUNE 25, 2010, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS. (MEMO 2)

Document: Memo 2

ADJOURNMENT

A motion was made by Council Member Litz and seconded by Council Member Jamison to adjourn the City Council Meeting at 7:35 p.m.

Vote to adjourn: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.

Motion Passed

Tamara Jorgensen, CMC
Assistant City Clerk